

**ASSEMBLY BILL**

**No. 746**

**Introduced by Assembly Member Matthews**

February 19, 2003

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An act to add Section 490.7 to the Business and Professions Code, relating to the healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 746, as introduced, Matthews. Medical fraud: revocation of professional licenses.

Existing law establishes the State Department of Consumer Affairs, which is comprised of various boards, including, but not limited to, the Dental Board of California, the Medical Board of California, the State Board of Optometry, the California State Board of Pharmacy, and the Board of Psychology, among others, which each issue licenses.

Existing law authorizes a board to suspend or revoke a license if the licensee has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

Existing law provides for the Medi-Cal program, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. Under existing law, the Director of Health Services is required to suspend the participation in the Medi-Cal program by a provider of services for conviction of any felony or any misdemeanor involving fraud, among other things.

This bill would require a board to revoke a license if the licensee has more than one conviction for any felony or misdemeanor involving fraud committed by the licensee in his or her capacity as a provider of services under the Medi-Cal program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 490.7 is added to the Business and  
2     Professions Code, to read:  
3     490.7. A board shall revoke a license, pursuant to Section 490,  
4     if the licensee is licensed pursuant to Division 2 (commencing with  
5     Section 500) and has more than one conviction of any felony or  
6     misdemeanor involving fraud committed by the licensee in his or  
7     her capacity as a provider of services under the Medi-Cal program  
8     pursuant to Chapter 7 (commencing with Section 14000), or  
9     Chapter 8 (commencing with Section 14200), of Part 3 of Division  
10    9 of the Welfare and Institutions Code.

